

OFFICE OF
GENERAL COUNSEL

2018 AUG -9 PM 2:00

Matthew Graf

Rock Island, IL

61201

Friday, 3 August 2018

MUR # 7463

Office of General Counsel
Federal Election Commission
1050 First Street, NE
Washington, DC 20463

Dear Sir or Madam,

I would like to file a formal complaint in regard to Federal Congressional Candidate for California's 11th District, John Fitzgerald. Below, I will furnish a list of evidence which may likely give "Reason To Believe," that gross financial misconduct has taken place.

This complaint will consist of evidence archived, accessible by links provided via the electronic archive website, archive.is, as well as supplemental screenshots.

My complaint is based upon multiple pieces of evidence that may suggest Mr. Fitzgerald has:

1. Failed to properly register, create, or report on a candidate committee with the appropriate regulatory bodies.
2. Has solicited donations via a personal [paypal.me](https://www.paypal.com) account, in which it is listed as a "business."
3. Failed to name a treasurer to oversee and maintain records of donations received.

Per your website, FEC.gov, Mr. Fitzgerald is listed as neither a registered candidate nor has registered a Campaign Committee with the FEC insofar as your database is accessible to the public. Other campaign watchdog websites such as opensecrets.org and politicalmoneyline.com also failed to produce any results in regard to his financial reporting.

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Violation to Establish a Campaign Committee Within 15 Days

Per the definition of a candidate, John Fitzgerald is in violation of § 30101.2

Whereas registration and reporting are required for expenditures or contributions exceeding \$5,000,

Whereas a candidate must designate a principal campaign committee after 15 days of meeting the definition of § 30101.2, it must be taken into account that John Fitzgerald received 36,279 votes, i.e. 23.23% of California's 11th district vote in the 2018 primary held June 5th, 2018.

It is inconceivable that he has not yet spent or solicited an amount that is not in excess of \$5,000 given the extent of time that has passed from his notification of intention to run, being listed on the ballot, and having completed the primary.

Personal PayPal Use To Solicit Funds

Mr. Fitzgerald's contribution solicitation method also suggests there is reason to believe there has been gross negligence in the operation of his campaign. While failing to register and/or designate a principal committee, he has relied upon misusing a personal PayPal account to accept donations through PayPal.me. Not only does this methodology lack the oversight of Federal reporting, failing to be a committee, it has no known appointed treasurer to maintain contribution records, ie for any exceeding \$250.00. His apparent sole discretion over administration of the account provides no transparency, suggesting that he has the power to delete this account and its records and/or to destroy financial records, and leaves the possibility for misuse of campaign funds.

While PayPal does allow political organisations to receive donations through appropriate channels, Mr. Fitzgerald PayPal.me account is listed explicitly as a business, thereby leaving little other interpretation save for misuse of a solicitation platform.

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The PayPal is accessible directly via the control panel of his website:

Website > Donate > Personal PayPal

Mr. Fitzgerald's campaign website: <http://johnfitzgeraldforcongress.com>

Archived: <http://archive.today/tNblJ>

Mr. Fitzgerald "Business" PayPal: <https://www.paypal.me/fitzgerald4congress>

Archived: <http://archive.today/dNFhU>

Screenshot:



SEND MONEY TO JOHN FITZGERALD FOR
CONGRESS 2018

\$ 0.00

USD ▾

Next

Free for you. john fitzgerald for congress 2018
pays the fee. Plus, eligible purchases may be
covered by PayPal Buyer Protection.

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I sincerely hope that if these complaints meet the standards required to launch an inquiry, that a thorough investigation will result in appropriate disciplinary action to maintain our Democracy's electoral integrity.

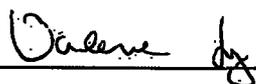
Respectfully,

Matthew Graf

In accordance with The Federal Election Campaign Act of 1971, I, Matthew Graf, residing at the address of _____, Rock Island, IL, hereby swear and affirm that all contents of this complaint are true to the best of my knowledge.

Date: 3-8-18 Complainant's Signature: 

Subscribed and sworn to me on this: 3 day of the month of August, 2018.

Notary Public's Signature: 



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